

SUBWAY GIVES UP 333 SMOKERS AND SPITTERS

Health Department to Fix Day
Each Week for Raids
on Them.

MANY APPROVE ARRESTS

Pay Their Fines Readily—At-
tack on Police by Magistrate
Lacks Sympathy of
Chief.

The crusade against subway smokers and spitters went merrily on yesterday. In the twenty-four-hour warfare against this form of public pest the sanitary squad of the Board of Health corralled just 223 men in Manhattan and The Bronx and 100 in Brooklyn who were charged with violating the ordinance against the public health. One of these men were fined ten dollars, but the majority were let off with half that amount as the penalty for their offense.

Magistrate Butts, sitting in the Morrisania court, in The Bronx, who severely reprimanded the police engaged in arresting smokers and spitters on Friday, again upbraided the police yesterday for the same reason.

"The idea," he exclaimed, "of assigning great big husky looking policemen to summon spitters and smokers to court, while all over The Bronx robbers, murderers and crooks of all descriptions are having a great time, with no fear of the police."

Magistrate Butts said that while he agreed with Magistrate McAdoo that the law against these nuisances should be enforced, he also believed that common sense should be used in the management of the police.

Health Commissioner Lederer and other officials of the Department of Health took direct issue with Magistrate Butts' stand in the matter, and said his statements were "ridiculous."

Uses of Sanitary Squad.

"The sanitary squad of the Department of Health," said Commissioner Lederer, "is nothing to do with the arrest of murderers and burglars. The department pays the salary of the men composing it, seventy-five in number, and the cost of their uniforms is the enforcement of the Sanitary Code."

Other officials said if Magistrate Butts had looked into the matter he would not have made such a "foolish crack" about the conduct of the high police officials in assigning many patrolmen to hunt smokers and spitters when they were urgently needed elsewhere.

"It's a rap at the Police Department," said one official, "but certainly unwarranted. It does not seem possible that a magistrate should make such a statement unless he was entirely ignorant of the provision of the charter empowering the Department of Health to maintain a sanitary squad."

Commissioner Lederer said that one day every week in the future the raids would be continued on the violators of the smoking and spitting ordinance. Just what day it would be the Commissioner would not say, as it is the intention to swoop down unexpectedly, as was the case this week.

Another to take issue with Magistrate Butts on the question was Chief Magistrate McAdoo, sitting in the Tombs court. In addressing the fifty-two men summoned before him by the members of the sanitary squad, the magistrate said he had seen something in the newspapers yesterday morning purporting to be a statement from him regarding the arrest of smokers and spitters. He said he had given out no such statement, that his court was purely a judicial bench, not a forum for the exploitation of personal opinions, ill considered or otherwise. He said he heartily disapproved the practice of turning the bench into a forum, and that he heartily approved of the action of the police and the Board of Health.

Magistrate Barlow, in the West Side court, faced sixty-two violators of the law. All but three pleaded guilty and paid their fines, of from \$1 to \$2. Only one man got off, his earnest denial of smoking being so impressive that the magistrate discharged him.

Think Movement a Good One.

Magistrate Appleton, in the Yorkville court, fined twenty-seven men \$2 each for smoking or spitting in the subway. All paid their fines, many saying they thoroughly approved of the crusade, although they had been guilty themselves only through carelessness.

Seventy-five smokers, who had been caught in the subway on Friday night, were arraigned before Chief Magistrate Kemper, in the Adams street court, Brooklyn, yesterday morning, and twenty-five more appeared in the Butler street court, before Magistrate Geismar. In the latter company was one spitter. Every one took the result of Friday night's crusade good naturally, and the magistrates smiled as they fined the men \$1 each, but at the same time the culprits were given to understand that they had disobeyed the law and should take more care in the future. It was said that few of the persons who had been summoned had failed to appear in court. One citizen was indignant.

"The police might employ their time to better advantage than in arresting people in the subway," he told Magistrate Kemper.

"All the laws must be enforced," replied the court.

"Smoking in the subway is likely to cause fire, and the pernicious habit, in violation of the law, must be stamped out. In Magistrate Geismar told the men who came before him.

CUCKOO CLOCK WARNS "COP"

Arrest of Man for Burglary Follows—Architect Identifies Loot.

Whenever Patrolman Eugene Meenagh hears a cuckoo he stops, looks and listens, just because he heard a cuckoo in the 22nd street station of the Broadway subway last night. The sound seemed to come from a hat box near the newsstand, so he cautiously lifted the lid and peered in. Under some lace doilies was a valuable cuckoo clock and underneath the cuckoo a nice nest egg of silverware.

Meenagh waited for claimants. Soon a young man approached, but, seeing the officer, hastily walked away and entered a house down the street. Meenagh followed. Just then a woman cried from a top floor window that a man was trying to get on the roof through the skylight. The suspect was caught by a young man in the house. At the Morrisania court the prisoner gave his name as Joseph F. Fox. He said he was a brakeman on the Erie Railroad.

Nathan Postal, who keeps the newsstand, said Fox had left the box in his care.

John Brand, an architect, of No. 19 Marle Hill avenue, The Bronx, identified the articles as property which had been stolen from his home during the night.

Fox was charged with burglary and held in \$2,000 bail for examination by Magistrate Butts to-morrow morning.

YALE PENSIONS NOW \$37,000.

New Haven, Feb. 24.—The Yale records show that there are now twenty professors on the retired list, of whom seventeen receive pensions from the Carnegie Foundation, besides four widows of professors who receive Carnegie pensions. The amount received by the university from the Carnegie Foundation for pensions is about \$37,000 a year.

Stern Brothers

will continue to offer for the remainder of the month

Special Inducements in

Artistic & Serviceable Furniture

affording an exceptional opportunity to purchase high grade Hall, Living Room, Bed Room and Dining Room Suites, also individual pieces in a wide variety of styles.

Particular attention is directed to the following Dining Room Pieces

At Decided Reductions:

Mahogany from \$37.50 to 150.00

Sideboards, Formerly from \$48.00 to 200.00

China Cabinets, from \$30.00 to 85.00

Formerly from \$38.50 to 93.00

Extension Tables, from \$32.00 to 68.50

Formerly from \$40.00 to 80.00

Early English and Golden Oak

Sideboards, from \$20.00 to 69.00

Formerly from \$27.50 to 83.50

China Cabinets, from \$15.00 to 90.00

Formerly from \$20.00 to 110.00

Extension Tables, from \$12.50 to 45.00

Formerly from \$18.00 to 56.00

Also many attractive pieces from Broken Sets

and discontinued patterns, comprising

DRESSERS, CHIFFONNIERS, TOILET TABLES, BEDSTEADS,

SIDEBOARDS, CHINA CLOSETS, EXTENSION TABLES,

CHAIRS, CELLARETTES, BOOKCASES, FANCY

CHAIRS AND ROCKERS, AT

One-Third to One-Half Less Than Former Prices.

An Important Purchase of Real Madeira

Hand Embroidered Linens

will be placed on sale to-morrow,

Greatly Below Their Actual Values

Napkin Pouches, at 65c, 75c, 85c

Centre Pieces, " \$1.25, 1.45, 2.75

Tea Cloths, " 2.45, 4.25, 6.75

Luncheon Cloths, " 4.25, 9.85, 12.50

Luncheon Sets, " 3.75, 4.25, 5.75

Afternoon Tea Napkins, Doz. 4.75, 5.50, 6.25

(Finger Bowl, " 1.50, 1.95, 2.40

Doyleys } Plate Size, " 3.25, 4.50, 5.50

Lingerie Cushion Covers, at 2.95, 3.25, 5.50

ALSO A LARGE COLLECTION OF HIGH GRADE

FRENCH HAND-MADE CLUNY AND RENAISSANCE LACE

TRIMMED CENTRE PIECES, TEA AND LUNCHEON

CLOTHS, DRESSER AND BUFFET SCARVES

AT CORRESPONDING REDUCTIONS.

West 23d and 22d Streets

DECREE FOR QUEEN'S WOMAN

Mrs. Paynter Gets Alimony and

Custody of Child.

A decree of absolute divorce was given to Mrs. Abbie L. Rushmore Paynter against W. Elmer Paynter by Justice Appinal, of the Supreme Court, Long Island City, yesterday.

The decree permits the wife to resume her maiden name of Rushmore and grants her the custody of their four-year-old daughter Rachel and alimony of \$1,500 a year.

Mrs. Rushmore is the descendant of an old Long Island family. Mr. Paynter is one of the best known and reputed to be one of the richest men in Queens County. He is the manager of a number of estates. His wife said he had an income of \$10,000 a year. The suit was begun last August, and was referred by Justice Clark to Horace L. Straus to take the testimony.

In her complaint Mrs. Paynter named Miss Harriet Bertha Lockyer, a correspondent. One of the letters Miss Lockyer wrote to Paynter's sister fell into the hands of Mrs. Paynter, in which Miss Lockyer wrote that the "Lord had brought Paynter and her together."

VERDICT AGAINST RAILROAD

Woman Gets \$1,150 Because "L"

Guard Pushed Her Into a Seat.

Because a guard of the Brooklyn Union Elevated Railway Company pushed Mrs. Katie Katz, of No. 245 East 54th street, into a seat and forced her to sit on his lap, a verdict of \$1,150 from a jury sitting in Justice Cohalan's part of the Supreme Court yesterday.

Mrs. Katz testified that she was in a delicate condition on the night of July 2, 1910, when she boarded a car of the railway company at Woodhaven, Long Island. The car windows being open, she said, she requested her husband to close the window at her back. When Katz attempted to do so, she said, the argument followed, which resulted in her trouble with the guard. She also testified that the guard refused to allow her to get off at the next station, and that she fainted. She was taken to a hospital in a critical condition following the affair, she said. Louis Stekler, attorney, of No. 361 Broadway, appeared for Mrs. Katz in her suit against the railroad.

NEEDS INCOME, G. KEMP SAYS

Can't Repay \$30,000 Loan from

Woman in One Sum, He Tells Court.

George Kemp, who is now living in Paris, has filed in the Supreme Court his answer in the action brought by Mrs. Jeanette Kemp to collect from him income from two trust funds a judgment for more than \$30,000, which was for money she lent to Kemp several years ago. Mrs. Kemp is now receiving 10 per cent of Kemp's income, but she asked the Supreme Court to give her in a bulk amount all over what Kemp needed to live on.

Kemp was married in 1885. His wife, Mrs. Lilla Kemp, obtained a separation from him and he is paying her \$2,000 a year. He has a son and a daughter, and he allows them each \$6,000 a year. His mother left him the income of \$10,000 and his father, George Kemp, left him a trust fund of \$50,000.

Kemp said in his answer that his father left an estate of \$60,000, and his mother had an estate of \$20,000. During the lifetime the family used to live at the rate of \$50,000 a year, he said, and he never had to learn any business. Now, he had reached an age where it was impossible for him to change his mode of living, he was physically incapable of doing any work, and therefore his only income was from the two trust funds. He told of the payments he had to make to his wife and his children, and added that he needs all the rest to live on himself.

FLEISHHACKER SUCCEEDS HAWLEY

Mortimer Fleishhacker, of San Francisco, has been elected president of the Great

Western Power Company and the California Electric Generating Company, one of its subsidiaries. The late Edwin Hawley, who was executive head of the two companies and of the Western Power Company, which owns the entire capital stock of the Great Western Power Company, offered his resignation as president of the two companies last November. Mr. Fleishhacker is president of the City Electric Company of San Francisco, which is controlled by the Great Western Power Company.

MARINE INTELLIGENCE.

MINIATURE ALMANAC.

Sunrise, 6:40; sunset, 5:48; moon sets, 12:47; moon's age, 7.

HIGH WATER. A. M. P. M.

Sandy Hook, 11:54 12:00

Governor's Island, 12:26 12:32

Hell Gate, 2:16 2:22

WIRELESS REPORTS.

The Amerika, reported as 1,400 miles east of Sandy Hook at 9:20 a. m. on Friday, is expected to dock Tuesday afternoon.

The Pennsylvania, reported as 700 miles east of Sandy Hook at 8:20 a. m. yesterday, is expected to dock Monday afternoon.

The Stordam, reported as 650 miles east of Sandy Hook at 8:30 p. m. yesterday, is expected to dock Monday afternoon.

The Manual, reported as 230 miles east of Sandy Hook at noon yesterday, is expected to dock this forenoon.

INCOMING STEAMERS.

TO-DAY.

Vessel. From. Line.

*Caledonia, Australia, Feb. 17, Red Star

*La Touraine, Havre, Feb. 17, French

*Caroline, Havre, Feb. 17, French

*St. Laurent, Genoa, Feb. 17, French

*Germania, London, Feb. 17, White Star

*Coville, Liverpool, Feb. 17, White Star

*Palermo, Palermo, Feb. 17, White Star

*Brazil, Santos, Feb. 17, Spanish

*Buenos Aires, Buenos Aires, Feb. 17, Spanish

*Rochambeau, Havre, Feb. 17, N. G. Lloyd

*Oceania, Genoa, Feb. 17, French

*Italia, Genoa, Feb. 17, Italian

*Anchore, Palermo, Feb. 17, Anchor

*Suez, Suez, Feb. 17, Suez

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Stern Brothers

are now showing large assortments of advance

Spring Styles in Women's

Tailored Suits, Dresses,

Linen and Lingerie Gowns

Copies of the Latest Imported Models.

Also To-morrow, Decided Values in

Tailored Suits, of Taffetas, Wool Armure, at \$24.50, 29.50

Whipcords, Serges and Mixtures, at

Dresses and Costumes, of Meteor, Crepe de Chine, Taffetas, at 22.50, 32.75

Messalines, Salome Cloth and Serges, at

Dresses, of French Linen, Cotton Crepe Voiles, at 18.50, 25.00

Marquisesettes and Batiste, trimmed with Cluny, Macrame and Irish laces, at

For Monday, a large collection of

Novelty Dress Silks

In Dress Lengths Only, comprising Fancy Taffetas, Brocade Crepes,

Jacquard Cameleon Taffetas, Double Width Printed Foulard

Silks, Striped Messalines and Surahs, Originally from \$1.50 to 2.00 Yard. Specially Priced at 95c

Also an Exceptional Purchase of

Black Dress Silks

Imported Dress Taffetas, 35 inches wide, chiffon finish, Value \$1.50 Yard, at 98c

Black Messaline Duchesse, 39 inches wide, heavy soft finish, Value \$2.00 Yard, at \$1.35

Spring Importations of

Colored and Black Dress Goods

as shown by the Paris Modistes, comprising

Embroidered and Fringe Bordered Materials, Silk and Wool Voiles, Marquisesettes and Poplins in plain, striped, checked and two tone effects, Wool Ratine, Whipcords, Diagonals and Serges in the latest colors; also Advance Styles in Tailor Suitings.

Two Unusual Offerings for To-morrow

3500 Yds. Imported Tailor Suitings, in fancy stripes, checks and novelty mixtures, at 85c

in the newest spring color combinations, Value \$1.50 to 1.75 Yard

5800 Yds. All Wool Serge, 54 inches wide, in the most desirable street colors, including cream and black, Value \$1.35 Yd, 98c

Washable Dress Fabrics

At Specially Reduced Prices

9500 Yds. Silk and Cotton Pongees, rough lustrous weave, in a large assortment of new changeable effects and colors, at 25c

Regular Value 45c Yard

Imported Ramie Linens, pure flax, superior quality, in a complete range of this season's most desirable colors, also black and white, at 30c

Regular Value 50c Yard

French Bordered Linens, 48 inches wide, in white with black, navy, brown and Copenhagen blue borders, at 38c

Regular Value 85c Yard

Later Importations of Women's and Misses'

French Handmade Blouses

are now being shown, of Linon, Nainsook, Cotton Crepon, Tosca and English Eyelet Embroideries, with Dutch neck or collars, trimmed with Filet, Venise, Macrame, Real Valenciennes and Irish Laces, also a large assortment of

Copies of Late Foreign Models

made in their own workrooms of the most desirable Washable Fabrics.

Also To-morrow, an Advantageous Purchase of

Waists of Messaline, Changeable Silks, Chiffons, Nets and Allover Laces in a variety of models, at \$5.00

Actual Value \$7.50

West 23d and 22d Streets

Trading Co., with 3 passengers and mds. Arrived at the Bar at 11:30 a. m.

Steamer Kaibab (Br), Rio de Janeiro February 23, in ballast. Arrived at the Bar at 10:30 a. m.

Steamer Arna (Br), Bahia Blanca January 29, in ballast. Arrived at the Bar at 10:40 a. m.

Steamer Jefferson, Newport News and Norfolk, in ballast. Arrived at the Bar at 10:40 a. m.

Steamer Pelic Carbay, Passed in Quarantine at 11:50 a. m.

Steamer Aldershot (Br), Ciudad del Carmen, February 16, to Hasler, Leitch & Co., with sugar. Arrived at the Bar at 2:30 p. m.

Steamer Pelic Carbay, Passed in Quarantine at 11:50 a. m.

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